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10 UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 BAY AREA PAINTERS AND TAPERS
12 PENSION TRUST FUND, et al.,

13 Plaintiffs,

14 v.

15 VALDEZ PAINTING, INC., a California
Corporation, *aka* VALDEZ PAINTING; and
16 VAUGHN GINO VALDEZ, individually,

17 Defendants.

Case No: C10-1931 CRB

**VOLUNTARY DISMISSAL WITHOUT
PREJUDICE**

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19 PLEASE TAKE NOTICE that pursuant to F.R.C.P., Rule 41(a)(1), Plaintiffs BAY AREA
20 PAINTERS AND TAPERS PENSION TRUST FUND, et al., voluntarily dismiss, without
21 prejudice, their claim against Defendants VALDEZ PAINTING, INC., a California Corporation,
22 *aka* VALDEZ PAINTING; and VAUGHN GINO VALDEZ, individually. Defendants have
23 neither served an answer nor moved for summary judgment, and Plaintiffs have not previously
24 filed or dismissed any similar action against Defendants.

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VOLUNTARY DISMISSAL WITHOUT PREJUDICE
Case No.: C10-1931 CRB

1 It is therefore requested that this action be dismissed without prejudice.

2 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above-
3 entitled action, and that the foregoing is true of my own knowledge.

4 Executed this 14th day of June, 2011, at San Francisco, California.

5 SALTZMAN & JOHNSON
6 LAW CORPORATION

7 By: /S/Michele R. Stafford
8 Michele R. Stafford
9 Attorneys for Plaintiffs

10 ORDER

11 Based on the foregoing and GOOD CAUSE APPEARING, this action is dismissed, without
12 prejudice, and all dates in this matter are hereby vacated. The court shall retain jurisdiction of the
13 action.

14 IT IS SO ORDERED.

15 Dated: June 15, 2011

16 THE HONORABLE CH. BREYER
17 UNITED STATES DISTRICT JUDGE

